

**Court of Appeals, Division One****Criminal - Anders Appeal****1 CA-CR 16-0347****STATE v. FREEMAN****Appellate Case Information**

Case Filed: 25-May-2016

Case Closed: 22-Aug-2016

Reinstated x 1: 13-Sep-2016 Dismissal

Re-Closed:

**Dept/Composition**

Consolidated with:

1 CA-CR 16-0074**Side 1. STATE OF ARIZONA, Appellee****(Litigant Group) STATE OF ARIZONA**

- State of Arizona

**Attorneys for: Appellee**

Joseph T Maziarz, Esq. (AZ Bar No. 9212)

**Side 2. BENJAMIN FREEMAN, Appellant****(Litigant Group) BENJAMIN FREEMAN**

- Benjamin Freeman

**Attorneys for: Appellant**

Cedric Martin Hopkins, Esq. (AZ Bar No. 22790)

**CASE STATUS**

Jul 7, 2016.....Record Complete-Notice Completion Sent

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2013-003808-001	Order dated 04/28/16 denying "Pro Per Motion to Vacate Judgement"		David O Cunanan, Authoring Judge of Order		

**OPEN DUE DATE****Anders Supplemental Brief Due****Due By:**

Tuesday, February 21, 2017

Re: \* ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 02/21/

**CASE DECISION****22-Aug-2016 ORDER**

\*\*\*Vacated\*\*\*

ORDERED: Dismissing this appeal.

Filed: 22-Aug-2016

Mandate:

Decision Disposition

**Dismissed**

Anthony Mackey.....Author

**DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)****1 CA-CR 16-0074**

STATE v. FREEMAN

**23 PROCEEDING ENTRIES**

- 25-May-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/18/16.
- 1-Jun-2016 ORDERED: Consolidating cases 1 CA-CR 16-0074 and 1 CA-CR 16-0347. 1 CA-CR 16-0047 is designated the primary number. Anthony Mackey ProTem Judge - Author
- 3-Jun-2016 FILED: Appellant's Opening Brief (Appellant Pro Per)
- 8-Jun-2016 ORDERED: Striking Opening Brief tendered to the court on 06/03/2016. Anthony Mackey ProTem Judge - Author
- 30-Jun-2016 FILED:e-Record on Appeal (CR2013-003877-001):  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None
- 7-Jul-2016 FILED: Notice of Completion of Record

**Court of Appeals, Division One****Criminal - Anders Appeal****1 CA-CR 16-0347****STATE v. FREEMAN****23 PROCEEDING ENTRIES**

7. 7-Jul-2016 FILED: Motion for Ruling on Defendants 2nd Addendum to Motion for a new Trial and Defendants Motion to Vacate Judgment (1st Addendum) (Appellant)
8. 18-Jul-2016 ORDERED: Motion for Ruling on Defendants 2nd Addendum to Motion for a new Trial and Defendants Motion to Vacate Judgment (1st Addendum) (Appellant) = DENIED. Anthony Mackey ProTem Judge - Author
9. 19-Jul-2016 FILED: Record on Appeal (CR2013-003808-001):  
Instruments/Minute Entries: Combined  
Disposition Report: IOR 252, filed 1/26/16  
Exhibits: None
10. 18-Aug-2016 FILED: Suggestion of Lack of Jurisdiction; Certificate of Service (Appellant)
11. 22-Aug-2016 ORDERED: Dismissing this appeal. Anthony Mackey ProTem Judge - Author
12. 22-Aug-2016 FILED: Letter, 08/22/2016, Certified Copy of Order dismissing appeal. Record to clerk, Maricopa County Superior Court
13. 2-Sep-2016 FILED: Appellants Motion to Recall August 22, 2016 Dismissal Order of Rule - 31 Direct Appeal (Appellant)
14. 13-Sep-2016 ORDERED: Appellants Motion to Recall August 22, 2016 Dismissal Order of Rule - 31 Direct Appeal (Appellant) = GRANTED/Reinstating this appeal. Anthony Mackey ProTem Judge - Author
15. 19-Sep-2016 ORDERED: Appellant's counsel file the opening brief on/before 10/20/2016. Anthony Mackey ProTem Judge - Author
16. 24-Oct-2016 FILED: Appellants Motion for Appointment of New Appeals Counsel of Rule 31 (Appellant)
17. 25-Oct-2016 ORDERED: Motion to Withdraw (Appellant) = GRANTED/Appointing attorney Cedric Hopkins as attorney for appellant.  
FURTHER ORDERED: Maricopa County Public Defender forward to newly-appointed counsel all files, reports, transcripts.  
FURTHER ORDERED: Opening brief due date EXTENDED to 12/08/2016. Anthony Mackey ProTem Judge - Author
18. 1-Nov-2016 ORDERED: Denying Appellants Motion for Appointment of New Appeals Counsel of Rule 31 as moot. Anthony Mackey ProTem Judge - Author
19. 8-Dec-2016 FILED: Motion to Extend Time to File Opening Brief; Certificate of Service (Appellant)
20. 9-Dec-2016 ORDERED: Motion to Extend Time to File Opening Brief (Appellant) = GRANTED/Due date EXTENDED from Thursday, 12-08-2016 to Monday, 01-09-2017. Anthony Mackey ProTem Judge - Author
21. 10-Jan-2017 FILED: Appellant's Opening Brief (Anders); Certificate of Compliance; Certificate of Service (Appellant)
22. 10-Jan-2017 FILED: Motion for Leave to Permit Appellant to File Supplemental Brief; Certificate of Service (Appellant)
23. 12-Jan-2017 ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 02/21/2017; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author